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Sixty-sixth session
Agenda item 34
Prevention of armed conflict

Albania, Andorra, Australia, Austria, Bahrain, Belgium, Botswana, Bulgaria, Canada, Côte d'Ivoire, Croatia, Cyprus, Czech Republic, Denmark, Djibouti, Egypt, Estonia, Finland, Georgia, Germany, Greece, Ireland, Italy, Japan, Jordan, Kuwait, Latvia, Libya, Lithuania, Luxembourg, Maldives, Monaco, Morocco, Netherlands, New Zealand, Norway, Oman, Panama, Poland, Portugal, Qatar, Saudi Arabia, Slovakia, Slovenia, Spain, Sweden, the former Yugoslav Republic of Macedonia, Tunisia, Turkey, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United States of America and Yemen: draft resolution

The situation in the Syrian Arab Republic

The General Assembly,

Recalling its resolutions 66/176 of 19 December 2011 and 66/253 of 16 February 2012, as well as Human Rights Council resolutions S-16/1 of 29 April 2011, S-17/1 of 23 August 2011, S-18/1 of 2 December 2011, 19/1 of 1 March 2012, 19/22 of 23 March 2012, S-19/1 of 1 June 2012 and 20/22 of 6 July 2012, and recalling also its resolutions 42/37 of 30 November 1987, 43/74 of 7 December 1988, and 66/35 of 2 December 2011,

Recalling also Security Council resolutions 2042 (2012) and 2043 (2012) of 14 and 21 April 2012,

Expressing grave concern at the escalation of violence in the Syrian Arab Republic, in particular the continued widespread and systematic gross violations of human rights and the continued use of heavy weapons by the Syrian authorities against the Syrian population, and the failure of the Government of the Syrian Arab Republic to protect its population,

Also expressing grave concern at the threat by the Syrian authorities to use chemical or biological weapons,

Alarmed at the threat to regional stability that the situation in the Syrian Arab Republic poses, and its grave implications for international peace and security,

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Taking note of the report of the independent international commission of inquiry on the Syrian Arab Republic,[1] which notes that the human rights situation in the Syrian Arab Republic has deteriorated significantly since November 2011, causing more suffering to the Syrian people, and that widespread violence and increasingly precarious socioeconomic conditions have left many communities in a perilous situation,

Recalling that the High Commissioner for Human Rights, in her statement on 27 May 2012, stated that acts of violence in the Syrian Arab Republic may amount to crimes against humanity or other forms of international crime and may be indicative of a pattern of widespread or systematic attacks against civilian populations that have been perpetrated with impunity,

Taking note of the report of the Secretary-General on children and armed conflict,[2] which indicates the occurrence of grave violations against children in the Syrian Arab Republic, that children were among the victims of military operations carried out by Government forces, including the armed forces, Syrian intelligence forces and "Shabbiha" militias, and that children as young as 9 years of age were victims of killing and maiming, arbitrary arrest, detention, torture and ill-treatment, including sexual violence, and used as human shields,

Expressing concern at the vulnerable situation of women in this context, including being subjected to discrimination, sexual and physical abuse, violation of their privacy, arbitrary arrest and detention in raids, including to force their male relatives to surrender, and underlining the importance of preventing all sexual violence and violence based on gender,

Concerned about the humanitarian impact of violence, including as a result of oppression and violations of human rights and fundamental freedoms, in particular the use by the Syrian authorities of excessive force, heavy weapons, armour and the air force against populated areas,

Concerned also that the escalating violence caused an influx of Syrian refugees into neighbouring countries, and condemning the attacks by the Syrian authorities on people trying to exit Syrian territory to escape the violence,

Echoing the extreme concern expressed by the Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator on 29 July 2012 at the impact of shelling and the use of tanks and other heavy weapons on people in Aleppo, as well as in the capital Damascus and surrounding towns,

Expressing its profound regret at the death of many thousands of people in Syria and extending condolences to their families,

Expressing its determination to seek ways and means to provide protection to the Syrian civil population,

Reaffirming its support for the Joint Special Envoy of the United Nations and the League of Arab States and his work, pursuant to General Assembly resolution 66/253 and relevant resolutions of the League of Arab States, aimed at promoting a peaceful solution to the Syrian crisis, including by securing full implementation of the six-point plan annexed to Security Council resolution 2042 (2012),

[1] A/HRC/19/69.

[2] A/66/782-S/2012/261.

Expressing its deep concern at the lack of progress towards implementation of the six-point plan, and deploring the failure of the Security Council to agree on measures to ensure the compliance of Syrian authorities with its decisions,

Reaffirming its strong commitment to the sovereignty, independence, unity and territorial integrity of the Syrian Arab Republic and to the principles of the Charter,

Recalling that all Members of the United Nations shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any State, or in any other manner inconsistent with the purposes of the United Nations,

Reaffirming the purposes and principles of the Charter of the United Nations, the Universal Declaration of Human Rights and relevant international human rights treaties, including the International Covenant on Civil and Political Rights, and recalling the obligation of the Syrian Arab Republic to promote and protect human rights and fundamental freedoms,

Stressing that rapid progress on a political transition represents the best opportunity to resolve the situation in the Syrian Arab Republic peacefully, welcoming, in this regard, the final communiqué issued by the Action Group on 30 June 2012, and noting that progress towards an atmosphere free from violence, fear and intimidation is key to enabling a credible transition that meets the aspirations of the Syrian people,

Reaffirming its support for the engagement of the Secretary-General and all diplomatic efforts aimed at reaching a political solution to the crisis, reaffirming also the role of regional and subregional organizations in the maintenance of international peace and security as set out in Chapter VIII of the Charter of the United Nations, and welcoming the relevant decisions of the League of Arab States, including its resolution of 22 July 2012,

1. *Condemns* the increasing use by the Syrian authorities of heavy weapons, including indiscriminate shelling from tanks and helicopters, in population centres and the failure to withdraw its troops and the heavy weapons to their barracks, contrary to paragraph 2 of Security Council resolution 2042 (2012) and paragraph 2 of Council resolution 2043 (2012);

2. *Strongly condemns* the continued widespread and systematic gross violations of human rights and fundamental freedoms by the Syrian authorities and pro-government militias, such as the use of force against civilians, massacres, arbitrary executions, the killing and persecution of protestors, human rights defenders and journalists, arbitrary detention, enforced disappearances, interference with access to medical treatment, torture, sexual violence, and ill-treatment, including against children, as well as any human rights abuses by armed opposition groups;

3. *Condemns* all violence, irrespective of where it comes from, including terrorist acts;

4. *Demands* that all parties immediately and visibly implement Security Council resolutions 2042 (2012) and 2043 (2012) in order to achieve a cessation of armed violence in all its forms by all parties, thereby creating an atmosphere conducive to a sustained cessation of violence and a Syrian-led political transition that meets the aspirations of the Syrian people;

5. *Fully supports* the demand of the Joint Special Envoy of the United Nations and the League of Arab States that the first step in the cessation of violence must be made by the Syrian authorities, and therefore calls upon the Syrian authorities to fulfil immediately their commitment to cease the use of heavy weapons and complete the withdrawal of their troops and heavy weapons to their barracks;

6. *Calls upon* the Syrian authorities to immediately put an end to all human rights violations and attacks against civilians, protect its population, fully comply with its obligations under applicable international law and fully implement all relevant Human Rights Council resolutions as well as General Assembly resolutions 66/176 and 66/253;

7. *Demands* that the Syrian authorities strictly observe their obligations under international law with respect to chemical and biological weapons, including Security Council resolution 1540 (2004) of 28 April 2004 and the Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods of Warfare, signed at Geneva on 17 June 1925,[3] and further demands that the Syrian authorities refrain from using, or transferring to non-State actors, any chemical or biological weapons, or any related material, and that the Syrian authorities meet their obligations to account for and to secure all chemical and biological weapons and any related material;

Accountability

8. *Stresses again* the importance of ensuring accountability and the need to end impunity and hold to account those responsible for human rights violations, including those violations that may amount to crimes against humanity;

9. *Encourages* the Security Council to consider appropriate measures in this regard,

10. *Demands* that the Syrian authorities provide the independent international commission of inquiry on the Syrian Arab Republic and individuals working on its behalf immediate entry and access to all areas of the Syrian Arab Republic, and demands also that all parties cooperate fully with the commission of inquiry in the performance of its mandate;

Humanitarian situation

11. *Deplores* the deteriorating humanitarian situation and the failure to ensure safe and timely provision of humanitarian assistance to all areas affected by the fighting, in violation of point 3 of the six-point plan, which, therefore, is contrary to Security Council resolutions;

12. *Calls upon* the Syrian authorities to immediately and fully implement the agreed humanitarian response plan, including by granting immediate, safe, full and unimpeded access of humanitarian personnel to all populations in need of assistance, in particular to civilian populations in need of evacuation, as well as safe, full and unimpeded access for affected civilians to humanitarian assistance and

[3] League of Nations, *Treaty Series*, vol. XCIV, No. 2138.

services, and also calls upon all parties in the Syrian Arab Republic, in particular the Syrian authorities, to cooperate fully with the United Nations and relevant humanitarian organizations to facilitate the provision of humanitarian assistance;

13. *Calls upon* all parties in the Syrian Arab Republic, in particular the Syrian authorities, to ensure the safety and security of personnel, installations, material, units and vehicles involved in humanitarian assistance in accordance with applicable international law;

14. *Expresses grave concern* at the increasing numbers of refugees and internally displaced persons as a result of the ongoing violence, and reiterates its appreciation of the significant efforts that have been made by the States bordering Syria to assist those who have fled across Syria's borders as a consequence of the violence, and requests the Office of the United Nations High Commissioner for Refugees to provide assistance as requested by Member States receiving these displaced persons;

15. *Invites* Member States to provide all support to the Syrian people, and encourages Member States to contribute to the United Nations humanitarian response efforts;

Political transition

16. *Reiterates its call for* an inclusive Syrian-led political transition to a democratic, pluralistic political system, in which citizens are equal regardless of their affiliations or ethnicities or beliefs, including through the commencement of a serious political dialogue between the Syrian authorities and the whole spectrum of the Syrian opposition;

17. *Demands*, in this regard, that all Syrian parties work with the Office of the Joint Special Envoy to implement rapidly the transition plan set forth in the final communiqué issued by the Action Group on 30 June, in a way that assures the safety of all in an atmosphere of stability and calm, notably through the establishment of a consensus transitional governing body, the review of the Constitution on the basis of an inclusive national dialogue, and free and fair multiparty elections held in the framework of this new constitutional order;

18. *Welcomes*, in this regard, the Syrian Opposition Conference held under the auspices of the League of Arab States in Cairo on 3 July 2012, as part of the efforts of the League of Arab States to engage the whole spectrum of the Syrian opposition, and encourages greater cohesion among the opposition;

19. *Encourages* Member States to provide active support to ensure implementation of the transition plan set forth in the final communiqué of the Action Group, and requests the Secretary-General to provide support and assistance to Syria, at the appropriate time, as it transitions;

20. *Requests* the Joint Special Envoy to focus his efforts towards a peaceful mechanism for the implementation of the transition to a pluralistic, democratic civil State with equality in citizenship and freedoms;

Follow-up

21. *Requests* the Secretary-General and all relevant United Nations bodies to provide support for the efforts of the Joint Special Envoy to reach a political solution to the Syrian crisis;

22. *Also requests* the Secretary-General to report on the implementation of the present resolution within fifteen days.

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Addendum

Add the following countries to the list of sponsors of the draft resolution:

Comoros, France, Honduras, Hungary, Iceland, Liechtenstein, Malta, Mauritania, Micronesia (Federated States of), Montenegro, Republic of Korea, Romania, San Marino and Switzerland

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